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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,602	01/24/2002	Ronald Hugh Miller	201-0783 FAM	9335
28549	7590	04/07/2005	EXAMINER	
KEVIN G. MIERZWA ARTZ & ARTZ, P.C. 28333 TELEGRAPH ROAD, SUITE 250 SOUTHFIELD, MI 48034			MANCHO, RONNIE M	
			ART UNIT	PAPER NUMBER
			3663	

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09683 602

EXAMINER

ART UNIT      PAPER

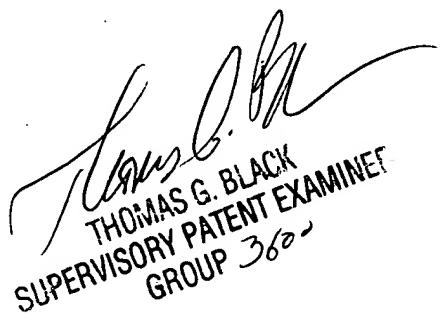
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Commissioner for Patents

The examiner acknowledges receipt and entry of the reply brief of 1/19/05. The arguments in the brief are not persuasive and have been sent to the board.



THOMAS G. BLACK  
SUPERVISORY PATENT EXAMINER  
GROUP 360

JAN 19 2005 13:25

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In Re Application of

Ronald Hugh Miller

Group Art Unit: 3663

Serial No.: 09/683,602

Examiner: Mancho, Ronnie M.

Filed: 01/24/2002

For: METHOD AND APPARATUS FOR ACTIVATING A  
CRASH COUNTERMEASURE

Attorney Docket No.: 201-0783 (FGT 1538 PA)

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

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deposited with the United States Postal Service as First Class Mail, in an envelope addressed to Mail Stop Appeal Brief-Patents, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Signature

Date: 1-19-05

Kevin G. Mierzwa

**REPLY BRIEF**

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
Box 1450  
Alexandria, VA 22313-1450

Sir:

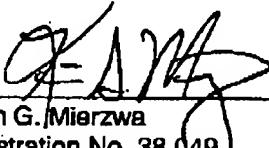
In response to the Examiner's Answer of November 24, 2004, please enter the following remarks.

1  
(09/683,602)

recites exchanging a communication key. Appellants respectfully submit that no teaching or suggestion is found in the *Lemelson* reference for exchanging a communication key. If the Examiner's example of CDMA being a key is carried forward, there is no exchange thereof. It appears that the *Lemelson* reference assumes that each of the vehicles of the communication system communicate and thus no exchanging is performed.

For the above stated reasons and the reasons set forth in the Appeal Brief, Appellants respectfully submit that the claims set forth in the present application distinguish over the various references including the *Lemelson* reference. Appellants therefore respectfully request the Board to reverse the Examiner's position with respect to each and every one of the claims. Appellants therefore respectfully request the Board to pass the case to issue forthwith.

Respectfully submitted,



\_\_\_\_\_  
Kevin G. Mierzwa  
Registration No. 38,049  
Attorney for Appellants

Date: 1-19-05

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